

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CIVIL ACTION No.: 03 CV 12573 EFH**

BERNADINE T. GRIFFITH  
Plaintiff

vs.

ONEBEACON INSURANCE COMPANY,  
ONEBEACON AMERICA INSURANCE  
COMPANY, MICHAEL A. SISTO, and  
KAREN ALLEN HOLMES  
Defendants

FILED  
CLERK'S OFFICE  
2005 FEB 28 A. 9:59  
DISTRICT OF MASSACHUSETTS

**OPPOSITION TO DEFENDANT'S MOTION TO EXTEND DISCOVERY PERIOD  
AND AMEND SCHEDULING ORDER**

NOW COMES the Plaintiff, Bernadine T. Griffith, who opposes the Defendants' Motion to Extend the Discovery Period on the grounds that this Honorable Court previously extended the discovery period in November of 2004 to allow Defendants to complete discovery; the Defendants have failed to provide a governing rule or law to warrant an extension of discovery; the Defendants have failed to show good cause to extend discovery; the Defendants never objected to Plaintiff's initial disclosure; the Defendants erroneously reason that the discovery period should be extended to enable Defendants to take the depositions of the Plaintiff's treating physicians because they did not know who Plaintiff's treating physicians were until they received Plaintiff's answers to Defendants' interrogatories, however, in December of 2003 the Plaintiff properly disclosed her treating physicians in exhibits number 7, 8, 11, 12, 14, and 15 of the verified Complaint; Plaintiff has reserved calling Dr. Helen Tramposch as Plaintiff's expert witness in her answers to

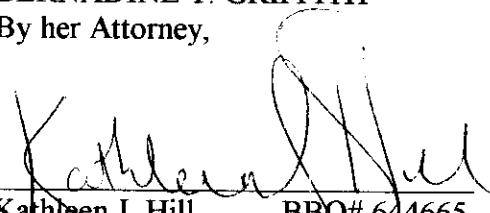
Defendants' interrogatories and, under the current Scheduling Order, depositions of all experts is to be completed by June 28, 2005; moreover, this Honorable Court should decline to consider this discovery motion because it is **not** accompanied by a certification, as required by LR 7.1 (a)(2) and LR 37.1 (b).

WHEREFORE, the Plaintiff respectfully requests the Honorable Court decline to consider the Defendants' Motion to Extend Discovery Period, and issue an order requiring the Defendants to adhere to the existing Scheduling Order.

Respectfully submitted,  
BERNADINE T. GRIFFITH  
By her Attorney,

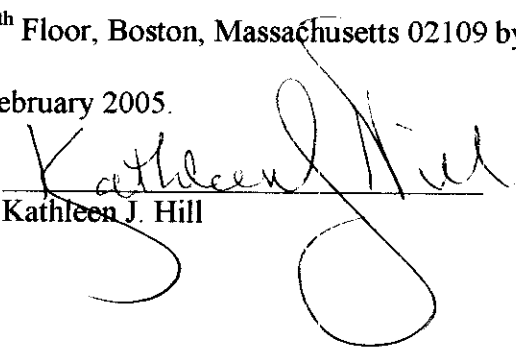
Date:

2/28/05

  
Kathleen J. Hill BBO# 644665  
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Boston, MA 02109  
617.742.0457 (O) / 617.742.4508 (F)

CERTIFICATE OF SERVICE

I, Kathleen J. Hill, certify that I served a true and accurate copy of the foregoing Plaintiff's Opposition to Defendants' Motion to Extend Discovery Period and Amend Scheduling Order on the counsel of record: *Keith B. Muntyan and Leah M. Moore*, of Morgan, Brown & Joy, Two Hundred State Street, 11<sup>th</sup> Floor, Boston, Massachusetts 02109 by pre-paid U.S. Mail and facsimile on this 28<sup>th</sup> day of February 2005.

  
Kathleen J. Hill